

ALLEGED SHIPMENT: During 1951 and 1952, from Detroit, Mich.

PRODUCT: 32 100-capsule bottles of multiple vitamin capsules, 22 1-quart bottles of vitamins with iron in liquid form, 94 250-capsule bottles and 61 1,000-capsule bottles of vitamin B complex with iron capsules, and 29 1-quart bottles of malt with vitamins and iron in liquid form, at Glendale, Calif.

Examination showed that the multiple vitamin capsules contained 60 percent of the declared amount of vitamin D; that the vitamins with iron in liquid form contained 48 percent of the declared amount of vitamin B₁; that the vitamin B complex with iron capsules contained from 70 to 73 percent of the declared amount of vitamin B₁; and that the malt with vitamins and iron in liquid form contained 55 percent of the declared amount of vitamin B₁.

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), valuable constituents, namely, vitamin D in the multiple vitamin capsules and vitamin B₁ in the other articles, had been in part omitted or abstracted from the articles.

Misbranding, Section 403 (a), the following statements on the labels of the articles were false and misleading: (multiple vitamin capsules) "Each capsule contains * * * 1,200 U. S. P. Units Vitamin D," (vitamins with iron in liquid form and malt with vitamins and iron in liquid form) "Each fluidounce contains * * * Vitamin B₁ * * * 4 Mg.," and (vitamin B complex with iron capsules) "Six capsules supply * * * Vitamin B₁ * * * 6 Mgms."

The articles were adulterated and misbranded while held for sale after shipment in interstate commerce.

DISPOSITION: July 13, 1953. Default decree of condemnation and destruction.

20697. Adulteration and misbranding of vitamin capsules. U. S. v. 295 Bottles * * *. (F. D. C. No. 34954. Sample Nos. 70735-L, 70736-L.)

LABEL FILED: April 15, 1953, Southern District of Ohio.

ALLEGED SHIPMENT: On or about May 29, 1951, from Los Angeles, Calif.

PRODUCT: Vitamin capsules. 280 45-capsule bottles and 15 210-capsule bottles at Cincinnati, Ohio.

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), valuable constituents had been in part omitted or abstracted from the article, namely, vitamin B₁ and vitamin C from the 280-bottle lot and the 15-bottle lot, vitamin B₆ and niacinamide from the 280-bottle lot, and riboflavin from the 15-bottle lot.

Misbranding, Section 403 (a), the following label statements were false and misleading as applied to both lots, which contained less than the declared amounts of vitamin B₁ and vitamin C; as applied to the 280-bottle lot, which contained less than the declared amounts of vitamin B₆ and niacinamide; and as applied to the 15-bottle lot, which contained less than the declared amount of vitamin B₂ (riboflavin): "Each Capsule * * * Fortified With * * * Vitamin B-1 * * * 15,000 Mcg. (15 Mg.) Vitamin B-2 (Riboflavin) 6,000 Mcg. (6 Mg.) Vitamin B-6 * * * 125 Mcg. (0.125 Mg.) Vitamin C * * * 1,000 USP Units (50 Mg.) Niacinamide 10,000 Mcg. (10 Mg.)."

The article was adulterated and misbranded while held for sale after shipment in interstate commerce.

DISPOSITION: August 26, 1953. Default decree of condemnation and destruction.

20698. Adulteration and misbranding of B-Amino Complex tablets. U. S. v. 27 Cartoned Bottles * * *. (F. D. C. No. 34935. Sample No. 54112-L.)

LABEL FILED: April 7, 1953, Northern District of Illinois.

ALLEGED SHIPMENT: On or about September 18, 1952, by Universal Nutritions, from New York, N. Y., to Cleveland, Ohio, and from there transported on or about November 23, 1952, to Chicago, Ill., by a representative of a Chicago firm.

PRODUCT: 27 cartoned bottles of B-Amino Complex tablets at Chicago, Ill. A leaflet headed "If Your Body Could Talk It Would Say" was enclosed in each carton of the article. Analysis showed that 6 tablets of the article supplied not more than 4.8 milligrams of iron and not more than 11.2 milligrams of vitamin B₁.

LABEL, IN PART: (Bottle) "100 Tablets B-Amino BAC Complex A brand of amino acids, coenzymes, vitamins and minerals Daily dose of 6 tablets contain: Vitamins Vitamin B₁ (Thiamine Hydrochloride) 18.0 mg. * * * Di and Tri-Valent Minerals Iron (Ferric Citro Pyrophosphate Soluble) 28.8 mg. * * * Unitone Corporation Distributor New York 13, N. Y."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), valuable constituents, vitamin B₁ and iron, had been in part omitted or abstracted from the article.

Misbranding, Section 403 (a), the label statement "6 tablets contain: * * * Vitamin B₁ * * * 18.0 mg. * * * Iron * * * 28.8 mg." was false and misleading as applied to the article, which contained less than 18.0 milligrams of vitamin B₁ and less than 28.8 milligrams of iron per 6 tablets. The article was misbranded in this respect while held for sale after shipment in interstate commerce.

Further misbranding, Section 403 (a), the labeling of the article, namely, the retail package labels and the above-mentioned leaflet, was false and misleading. The labeling represented and suggested that the article, when used as directed, would supply an important quantity of protein; that it was needed by the eyes, ears, lungs, liver, intestines, muscles, brain, heart, stomach, kidneys, and the entire body; that it would supply increased energy to the heart, lungs, muscles, liver, and other important organs; that it would supply missing enzymes necessary to carry on body functions, such as growth, reproduction, secretion, nerve condition, muscular contraction, etc.; that it would supply vitamins, proteins, and minerals in the correct proportion to stimulate the body to work as nature intended; that it would endow the user with vibrant life, health, and energy; that it would enable the liver to convert more than normal amounts of carbohydrates into energy; that it would transfer fatigue to quick energy; that it would prevent and correct disfunction in the energy conversion chemistry of body functioning; that it would reactivate all enzyme systems necessary for healthy body functioning; that it would activate the body cells to function as nature intended; and that it would supply needs that are missing from the food one eats. The article, when used as directed, would provide but a small fraction of one's normal consumption of protein; it was not capable of fulfilling the promises of benefit stated and implied; and it did not contain needed elements that are not available in commonly available foods. The article was misbranded in this respect when introduced into and while in interstate commerce.

Further misbranding, Section 403 (a), the following statements in the above-mentioned leaflet, namely, "Unbalanced B Vitamins May Be Dangerous" says The Journal of The American Medical Association in an Editorial of September 1, 1945. They say further 'Extensive scientific evidence has revealed that if B Vitamins are administered in other than balanced proportions, they may create Vitamin Deficiencies rather than cure them.'

still quoting the JAMA, the Editorial continues "Many B-Complex preparations available to the physician and public today are definitely unbalanced either too much thiamine or not enough riboflavin, niacin, or pyridoxine" were false and misleading since the quotations did not appear in an editorial in the September 1, 1945, issue of the Journal of the American Medical Association and since the article did not contain B vitamins in balanced proportions. The article was misbranded in this respect when introduced into and while in interstate commerce.

The article was alleged also to be misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 4173.

DISPOSITION: August 14, 1953. Default decree of condemnation and destruction.

20699. Adulteration and misbranding of Raymor capsules. U. S. v. 4 Bottles, etc.

(F. D. C. No. 34879. Sample Nos. 33850-L, 66492-L to 66495-L, incl.)

LIBEL FILED: March 11, 1953, Eastern District of Michigan; amended libel filed March 23, 1953.

ALLEGED SHIPMENT: On or about November 1, 1951, December 3, 1952, and January 20 and 23, 1953, by the Raymor Food Products Co., from Chicago, Ill.

PRODUCT: 4 180-capsule bottles of Raymor No. 50 capsules, 50 50-capsule boxes and 11 100-capsule boxes of Raymor No. 9 capsules, 5 100-capsule bottles of Raymor No. 33 capsules, 11 60-capsule bottles of Raymor No. 44 capsules, and 20 90-capsule bottles of Raymor No. 47 capsules, at Jackson, Mich., together with a number of leaflets entitled "Professional Order Blank" and 1 copy each of 5 issues of a publication designated "Raymor Nutritional Review" distributed monthly by the Raymor Food Products Co. and dated March, May, June, November, and December, 1952.

LABEL, IN PART: "Raymor Number 50 180 Capsules 30 Day Supply Of A Dietary Supplement Composition—The recommended daily dosage of six capsules provides as follows: Ingredients * * * % M. D. R.—Vitamin C (Ascorbic Ac.) 210.0 Milligrams 433% * * * Iodine (KI) 0.45 Milligrams 450% * * * Calcium (Bone phosphate) 950.0 Milligrams 125% Phosphorus (Bone Phosphate) 565 Milligrams 75%. The Purpose Of This Product Is Nutritional";

"Raymor Number 9 50 No. 0 Size Capsules * * * each three capsules standardized to contain—Vitamin D (irrad. yeast) 400 U. S. P. Units Natural Bile Salts—Natural Bile Salts Pancreatin, Pepsin, Papain, Duodenum, for Enzyme activity; Pectin and Gel from Cranberry and edible Irish Moss seaweed; Alkaline Buffer from Lime salts; Calcium and Phosphorus from edible beef bone powder and the natural B-Complex from Liver substance, Wheat Germ Embryo and vegetable concentrates * * * 3 capsules of Raymor No. 9, when taken daily, will provide 400 U. S. P. units of Vitamin D (full daily minimum requirement). The Purpose Of This Product Is Nutritional";

"Raymor * * * Number 33 100 No. 0 size Capsules * * * each three capsules standardized to contain Vitamin C (ascorbic acid) 750 Mgs. (equal to 15,000 U. S. P. Units) 25 times the Min. Daily Requirement Plus Protein Factors and Chromo-Proteins From Liver, Red Bone Marrow, Spleen, Stomach and Pancreas Substances; Iodine from Kelp; Calcium and Phosphorus from edible cooked Beef Bone and Lime Salts; Hypoallergenic Soy Lecithin and dried powdered Orange Concentrate. There is no scientific data that glandular material contained herein is medically or therapeutically active. Directions